

HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 5399 (ss) 2001:

(Old No. 38194 of 1995)

Sita Ram Verma S/o Hira Lal,
Resident of Mohalla-Amber Talab (East),
House no. 279, Roorkee, Haridwar. -----Petitioner.

Versus

1. State of U.P. through Pramukh Abhiyanta-E4,
Kha Anubhag Irrigation Vibhag, Lucknow,
2. Mukhya Abhiyanta/Chief Engineer,
Irrigation Department, U.P. Lucknow,
3. Director of Irrigation, Research Institute,
Roorkee, Haridwar,
4. Executive Engineer, Administrative Division,
Irrigation Research Institute, Roorkee,
District Haridwar. -----Respondents.

None for the petitioner,
Sri Subhash Upadhyay, learned Standing Counsel for the State/respondents.

Hon'ble M.M. Ghildiyal, J.

None is present for the petitioner despite repeated calls.
Heard Sri Subhash Upadhyay, learned counsel for the State/
respondents.

The present writ petition has been filed seeking following
reliefs:-

- i. Issue a writ, order or direction in the nature of certiorari quashing the order dated 01.09.1993 (annexure-5) and the order dated 20.02.1995 (annexure-9),
- ii. Issue a writ, order or direction in the nature of mandamus commanding the respondents to treat the petitioner in service on the post of Tracer in the

Irrigation Department till he attains the age of 60 years i.e. 30.06.1996 and pay salary to the post of Tracer.

- iii. Issue any other suitable writ, order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case,
- iv. Award the cost of writ petition in favour of petitioner.

From perusal of the record, it transpires that the Executive Engineer, Administrative Division, Irrigation Research Institute, Roorkee, District Haridwar/ respondent no. 4 vide its order dated 01.09.1993 directed the office to prepare the pension papers of the petitioner as he was going to be retired on 30th June 1994. Vide another order dated 20 February 1995 the Director, Irrigation Research Institute, Roorkee, Haridwar has passed an order that since the post held by the petitioner, i.e. the Tracer, comes under group-c post, hence the petitioner will be retired after completion of 58 years' of his age. Aggrieved with the aforesaid order, the petitioner has preferred the present writ petition. None is present on behalf of the petitioner. By efflux of time, the writ petition has become infructuous.

Accordingly, the writ petition is dismissed as infructuous. No order as to costs.

(M.M. Ghildiyal, J.)

September 23, 2006:
NCM: